

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- November 29, 1972

Application No. 11207 Trans-Potomac Corporation, appellant

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee

On motion duly made, seconded and carried, the following Order of the Board was entered at the meeting of May 22, 1973.

EFFECTIVE DATE OF ORDER -- **JUN 12, 1973**

ORDERED:

That the following applications for variances for the property known as Lots 64, 65, 66, 67, 68, 69, 70, 71, 72 and 73 in Square 5362, and known by Street address as 4630, 4632, 4636, 4638, 4642, 4644, 4648, 4650, 4654, and 4656 Hillside Road, S.E., be ~~and~~ they are hereby GRANTED as follows:

1. A variance from the side yard requirements of the R-2 District, as contained in Section 3305.1 of the Zoning Regulations.
2. A variance from Section 7107.1 of the Zoning Regulations to permit the addition of exterior balconies connecting the second floors of the improvements on the subject property.
3. A variance from the requirement of Section 7205.21 of the Zoning Regulations that no portion of an open parking space be located within ten feet of a flat.
4. A variance from Section 7106.11(a) of the Zoning Regulations to permit the addition of exterior balconies on the second floors of the improvements on the subject property.

FINDINGS OF FACT:

1. The subject property is located in the R-2 District and the improvements thereon are non-conforming structures used for the non-conforming use of rental apartments.

2. Guardian Federal Savings & Loan Association is the owner of the subject property by reason of a foreclosure (or deed in lieu of foreclosure) of a first mortgage.

3. The applicant, Trans-Potomac Corporation, is the contract purchaser of the subject property and proposes to renovate the buildings and convert them from the present 40 one-bedroom rental apartments to 20 three-bedroom flats, which the applicant presently proposes to sell as condominium units.

4. In order to rehabilitate and convert the buildings applicant requires a variance from the side yard requirements of Section 3305.1 of the Zoning Regulations to erect exterior balconies on the second stories of the buildings which will interconnect the buildings and permit the creation of a condominium project under Section 5-902(c) of the District of Columbia Code.

5. In order to create an economically viable project applicant requires a variance from Section 7205.21 of the Zoning Regulations to permit open parking spaces within ten feet of a flat.

6. In order to construct the second story exterior balconies, the applicant requires a variance from Section 7106.11(a) of the Zoning Regulations so that the balconies may be added to the presently existing non-conforming structures.

7. In order to construct the second story exterior balconies, the applicant requires a variance from Section 7107.1 of the Zoning Regulations to enlarge the presently existing non-conforming structures by the addition of such balconies.

8. At the public hearing no opposition was registered to the granting of this application and no opposition thereto has been submitted for the record.

OPINION:

We are of the opinion that the applicant has proved a hardship within the meaning of the variance provision of the Zoning Regulations and that a denial of the requested relief will result in peculiar and exceptional practical difficulties and undue hardship upon the owner of the subject property. The variances which have been requested from Sections 3305.1, 7106.11(a) and 7107.11 involve the addition of balconies to the second stories of the buildings and represent insubstantial enlargements of the existing non-conforming structures. These variances have been sought to enable the applicant to create a condominium project under the applicable requirements of Section 5-902(c) of the District of Columbia Code.

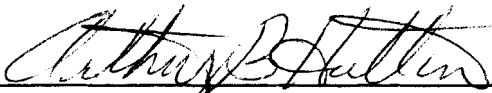
The one other requested variance, namely the variance from the Section 7205.21, will enable one off-street parking place to be provided for each of the flats proposed to be created and sold as condominium units. The topography of the ground is such that the parking spaces will actually be located below the ground level of each building.

We are of the opinion that the requested variances will enable the presently dilapidated and largely vacant improvements to be rehabilitated and converted to desirable living accommodations, which would benefit the immediate neighborhood and the public good. Accordingly we hold that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and the Zoning Map.

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BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By: 
ARTHUR B. HATTON
Acting Secretary of the Board

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF ECONOMIC DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.